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November ___, 2024

VIA FEDERAL EXPRESS

Judicial Assistance Officer
United States Department of State
Office of Legal Affairs
2201 C Street, NW
SA-17, 10th Floor
Washington, DC 20522-1710

Re: Request for International Judicial Assistance (Letter Rogatory) from the Federal Republic of Germany, executed by The Honorable Judge John G. Koeltl of the United States District Court for the Southern District of New York in *United States v. Alexander Mashinsky*, 23 Cr. 347 (JGK)

Dear Judicial Assistance Officer:

We represent Alexander Mashinsky, a defendant in a criminal prosecution currently pending in the United States District Court for the Southern District of New York, Case No. 23 Cr. 347 (JGK). A jury trial in this matter is currently scheduled to begin before the Honorable Judge John G. Koeltl on January 28, 2025.

On _____, 2024, Judge Koeltl executed the enclosed Request for International Judicial Assistance (Letter Rogatory) from the Federal Republic of Germany. The Letter Rogatory seeks judicial assistance with compelling sworn deposition testimony from the following individual in Germany:

Johannes Treutler
[REDACTED]
[REDACTED]
Germany

Judge Koeltl determined in a written opinion that Mr. Treutler may be able to provide material testimony that could “challenge central aspects of the [G]overnment’s allegations” against Mr. Mashinsky. See ECF No. 91, November 8, 2024 Memorandum Opinion & Order, at pages 18-21 (Exhibit A to Letter Rogatory).

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On behalf of Mr. Mashinsky, we respectfully request that the United States Department of State transmit the enclosed Letter Rogatory to the appropriate Central Authority or judicial authority in the Federal Republic of Germany. We have enclosed the original Letter Rogatory bearing the seal of the United States District Court for the Southern District of New York and the signature of Judge Koelzl, along with a photocopy of the English version, an original translation of the Letter Rogatory into German, and a photocopy of the German version.

As set forth in the enclosed Letter Rogatory, we request that the executed letter rogatory be returned to Judge Koelzl's Case Manager Don Fletcher, along with a notification to our law firm, at the following addresses:

The Honorable John G. Koelzl
United States District Judge
United States Courthouse for the Southern District of New York
500 Pearl Street, Courtroom 14A
New York, New York 10007
United States of America
Don Fletcher, Case Manager
(212) 805-0107
donnie_fletcher@nysd.uscourts.gov

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We have enclosed a certified check payable to the U.S. Embassy Berlin for the consular fees for transmittal of letters rogatory pursuant to 22 C.F.R. § 22.1 (Schedule of Fees). Please let me know if any additional costs are required to transmit the enclosed Letter Rogatory to the Federal Republic of Germany so that our client may cover such costs without delay. To the extent that the Department of State has any questions concerning the enclosed Letter Rogatory, we can be reached at the phone number and email addresses listed above.

We greatly appreciate the Department of State's willingness to assist in this matter.

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Respectfully submitted,

/s/ Michael F. Westfal

Marc L. Mukasey
Torrey K. Young
Michael Westfal

Counsel for Alexander Mashinsky

Enclosures

Cc: All counsel of record (via email):

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